

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

GERMAN E. HENDERSON

Plaintiff

vs

Case No. C-3-04-349

UNITED STATES POSTAL SERVICES

Judge Thomas M. Rose

Defendant

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ENTRY AND ORDER OVERRULING PLAINTIFF'S OBJECTIONS (DOC. #5) TO THE  
REPORT AND RECOMMENDATIONS (DOC. #3) ADOPTING SAID REPORT AN  
RECOMMENDATIONS IN TOTAL DISMISSING PLAINTIFF'S COMPLAINT (DOC. #2)  
AND AMENDED COMPLAINT (DOC. #4) WITHOUT PREJUDICE AND TERMINATING  
THIS CASE ON THE DOCKET

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This matter comes before the Court pursuant to Plaintiff's objections (Doc. #5) filed November 1, 2004 to the Report and Recommendations (Doc. #3) issued by Chief Magistrate Judge Michael Merz on October 19, 2004. One day prior to the Magistrate's Report and Recommendations being filed, Plaintiff filed an Amended Complaint (Doc. #4) in addition to the Plaintiff's original complaint (Doc. #2) which was the object of the Magistrate's Report and Recommendations. After review, the Court would conclude that the Magistrate's Report and Recommendation (Doc. #3) and the reasoning contained therein is relevant and applicable to Plaintiff's Amended Complaint (Doc. #4) as well as his original complaint (Doc. #2).

The Court has reviewed the comprehensive findings of the Magistrate Judge and considered de novo all the filings made in this matter. Upon consideration of all the foregoing, the Court does determine that the Plaintiff's Objections (Doc. #5) are not well-founded and, therefore, OVERRULED. The Magistrate's Report and Recommendations (Doc. #3) are ADOPTED in total and Plaintiff's Complaint (Doc. #2) and Amended Complaint (Doc. #4) are DISMISSED WITHOUT PREJUDICE.

This case is terminated on the docket of the United States District Court for the Southern District of Ohio.

IT IS SO ORDERED.

July 26, 2005

s/**THOMAS M. ROSE**

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Thomas M. Rose, Judge  
United States District Court